

**FILED****AUG 26 2005**CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 SHIN-GUO TSAI,

16 Defendant.

Case No. 05-70140 PVT/CR 05-00540  
RMW

*pvt*  
[PROPOSED] ORDER GRANTING  
STIPULATION TO WAIVE TIME  
UNDER SPEEDY TRIAL CLOCK AND  
FOR PRELIMINARY HEARING

Date: August 25, 2005

Time: 9:30 a.m.

Before the Honorable Patricia V. Trumbull

18 **[PROPOSED] ORDER**

19 This matter is set to come before the Court on August 25, 2005 at 9:30 a.m. for preliminary  
20 hearing or arraignment. Pursuant to Federal Rule of Criminal Procedure 5.1(d), the Defendant  
21 waived time for preliminary hearing until September 1, 2005 at 2 p.m. The parties notified the  
22 Court that the parties believe they have resolved the matter pursuant to a plea agreement. The  
23 parties requested that the period of time between August 25, 2005 and September 1, 2005 be  
24 excluded from the Speedy Trial Clock to allow for the to allow for effective preparation of  
25 counsel. Good cause appearing therefor,

26 **IT IS HEREBY ORDERED** that the period of time between August 25, 2005 and  
27 September 1, 2005 is excluded from the Speedy Trial Clock to allow for the effective preparation  
28

[PROPOSED] ORDER GRANTING PRELIMINARY  
HEARING EXTENSION AND EXCLUSION  
Case No. 05-70140 PVT/CR 05-00540 RMW

1 of counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). The Court finds that the “ends of justice served by  
2 the granting of such continuance outweigh[s] the best interests of the public and the defendant in  
3 a speedy trial.” 18 U.S.C. § 3161(h)(8)(A). Additionally, the Court finds that the Defendant,  
4 Shin-Guo Tsai, knowingly and voluntarily waived the period between August 25, 2005 and  
5 September 1, 2005, such that preliminary hearing is now scheduled for September 1, 2005 at  
6 2 p.m.

7 DATED: 8/26/05

8   
9 PATRICIA V. TRUMBULL  
10 Chief United States Magistrate Judge

11 Distribute to:

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